

COMMONWEALTH OF VIRGINIA
Department of Environmental Quality
West Central Regional Office
STATEMENT OF LEGAL AND FACTUAL BASIS
DRAFT/PROPOSED

Southern Finishing Co. Inc.
801 East Church Street, Martinsville, Virginia
Permit No. WCRO-30515

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, the Southern Finishing Co. Inc., Title V Operating Permit is being reopened for cause to be amended to include the new source review permit issued on February 2, 2007 for its wood furniture manufacturing plant in Martinsville. The Department reviewed the application for permit renewal and the February 2, 2007 permit and has prepared a *draft/proposed* Title V Operating Permit.

Engineer/Permit Contact: _____ Date: _____

Lillian Alexander
540/562-6783

Air Permit Manager: _____ Date: _____

Michael J. Scanlan, Ph. D.
Regional Air Permit Manager

FACILITY INFORMATION

Permittee

Southern Finishing Co. Inc.
P.O. Box 4211
Martinsville, VA 24115

Facility

Southern Finishing Co. Inc.
801 East Church Street
Martinsville, VA 24115

County-Plant Identification Number: 51-690-0500
Registration No.: 30515

Amendment of Title V Operating Permit dated January 10, 2005 (first renewal)

SOURCE DESCRIPTION

NAICS Code: 337122 – Non-upholstered Wood Household Furniture Manufacturing
SIC Code 2511 – Wood Household Furniture Manufacturing

Southern Finishing Company, Inc. is a manufacturer of wood household furniture components. The original source registration (for Pulaski Furniture Corp., Martinsville Div.) was received on November 10, 1972. The facility consists of two small boilers and various woodworking furniture finishing equipment.

This permit is being amended to incorporate the conditions of the new source review (NSR) permit dated February 2, 2007. This permit allows for construction of 2 new wood finishing spray booths that were previously permitted but never constructed. Wood spray booths WB-13, 14 and 15 are included in this permit; WB-13 having been constructed (as WB-1) in accordance with the NSR dated May 5, 2004 and WB-14 and 15 being constructed in accordance with the permit dated February 2, 2007. The February 2, 2007 permit also details specifically that the facility CANNOT operate the metal furniture spray finishing booths (ES-3b).

All other equipment at this facility is covered under the Existing Source Regulations found in 9 VAC 5 Chapter 40.

Federal Regulations applicable to this facility include:

- NSPS - 40 CFR Part 60, Subpart EE (metal furniture manufacturing) - *recordkeeping and reporting only until the booths are removed from site*

- MACT- 40 CFR Part 63, Subpart RRRR (metal furniture manufacturing) - *recordkeeping and reporting only until the booths are removed from site*
- MACT - 40 CFR Part 63, Subpart JJ (wood furniture manufacturing)
- Compliance Assurance Monitoring (CAM) - 40 CFR Part 64 (not included in this permit amendment)

The facility received its first Title V renewal on January 10, 2005. This amendment is being issued to incorporate the conditions of the new source review permit issued on February 2, 2007 to allow for installation of 2 new wood finishing spray booths and to disallow operation of previously-permitted metal furniture finishing spray booths.

Other changes incorporated into this amendment include:

- *Section II - updated equipment list*
- *Section VII to include requirements of the wood furniture finishing MACT JJ*
- *revised all testing requirements for individual equipment to delete specific EPA test methods as requested by WCRO Air Compliance staff*

COMPLIANCE STATUS

The facility was last inspected on January 10, 2006. It was found to be out of compliance with conditions covering the metal finishing spray booths and the fabric filter baghouses. The facility has since shut down the metal finishing spray booths and has come into compliance with requirements for the baghouses.

EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION

Emission units at this facility include:

Emission Unit ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device	Pollutant Controlled	Applicable Permit and/or Regulation
Fuel Burning Equipment - 9 VAC 5-40-880 et. seq. (Rule 4-8)					
ES-1	Bigelow Woodwaste/#2 f.o. boiler; installed 1963	9.0 MMBtu/hr	multicyclone	PM	--
ES-2	Bigelow Woodwaste/#2 f.o. boiler; installed 1963	9.0 MMBtu/hr	multicyclone	PM	--
Woodworking Equipment - 9 VAC 5-40-2250 et. seq. (Rule 4-17)					
ES - 4	various saws, shapers, sanders	varies	5 fabric filters	PM	CAM
Wood Furniture Finishing - 9 VAC 5-40-240 et. seq. (Rule 4-4)					
ES- 3a	12 conventional spray booths	varies	fiber filters or equivalent	PM	MACT JJ CO 10/17/2003
Wood Furniture Finishing - 9 VAC 5-50-240 et. seq. (Chapter 50, Part II, Article 4)					
WB-13	<i>Wood Spray Booth</i>	<i>0.95 gal/hr</i>	<i>fiber filters or equivalent</i>	<i>PM</i>	<i>NSR Feb. 2, 2007 MACT JJ</i>
WB-14	<i>Wood Spray Booth</i>	<i>0.95 gal/hr</i>	<i>fiber filters or equivalent</i>	<i>PM</i>	<i>NSR Feb. 2, 2007 MACT JJ</i>
WB-15	<i>Wood Spray Booth</i>	<i>0.95 gal/hr</i>	<i>fiber filters or equivalent</i>	<i>PM</i>	<i>NSR Feb. 2, 2007 MACT JJ</i>
<i>Equipment NOT Permitted for Operation</i>					
Metal Furniture Finishing - 9 VAC 5-50-240 et. seq. (Chapter 50, Part II, Article 4)					
ES- 3b	<i>2 metal finishing spray booths</i>	<i>NOT OPERATED</i>	<i>fiber filters or equivalent</i>	<i>PM</i>	<i>NSR Feb. 2, 2007 NSPS EE MACT RRRR</i>

Specifications included in the permit under this Condition are for informational purposes only and do not form enforceable terms or conditions of the permit

EMISSIONS INVENTORY – Actual Emissions

Facility-wide emissions for calendar year 2005 are summarized below:

2005 Actual Emissions

	Criteria Pollutant Emission in Tons/Year				
	VOC	CO	SO ₂	PM ₁₀	NO ₂
Total	75.031	9.549	0.524	2.846	7.834

2005 Facility Hazardous Air Pollutant Emissions

Pollutant	Emission in Tons/Yr
ethyl benzene	0.287
glycol ethers	0.869
methyl ethyl ketone (MEK)	no longer a listed HAP
methanol	1.023
xylene	1.081
toluene	1.929
formaldehyde	0.070
Total HAPs	5.259

NSPS, MACT, and CAM APPLICABILITY

NSPS - Recordkeeping and reporting for Subpart EE (metal furniture manufacturing) are required as long as the metal furniture finishing booths remain on site.

Metal Furniture MACT (Subpart RRRR) - recordkeeping and reporting are required as long as the metal furniture finishing booths remain on site.

Wood Furniture MACT (Subpart JJ) – applies to the finishing operations at the facility. The facility uses the averaging option to meet the applicable MACT JJ requirements; subject to emission limits for New Sources as specified in Table 1 of the MACT.

CAM applies to woodworking emissions to the baghouses unless demonstrated otherwise.

CHANGES TO PLANT

- Two new wood finishing spray booths will be installed in accordance with the new source review permit dated February 2, 2007
- The two metal furniture spray booths are no longer permitted for operation

CHANGES TO PERMIT

The Title 5 permit was renewed effective January 10, 2005. This is the first amendment to that permit. This amendment will incorporate the following changes:

- include NSR Permit dated February 2, 2007 to install two new wood finishing spray booths (WB-14 and WB-15)
- remove the two metal furniture finishing spray booths from operation, however,
- recordkeeping and reporting as required under NSPS EE and MACT RRRR will still required as long as these spray booths remain on site
- include language from MACT JJ (wood furniture) into the body of the permit

REPORTING

The permittee shall submit reports as follows:

- Annual Title V Compliance Certifications
to DEQ and EPA (Region III) by March 1 for the previous calendar year;
- Semi-annual Title V Reports
to DEQ by March 1 and September 1 of each year (time periods to be addressed are January 1 to June 30 and July 1 to December 31);
- Semi-annual Wood Furniture Manufacturing MACT (40 CFR 63 Subpart JJ) Reports
to DEQ and EPA (Region III) by March 1 and September 1 of each year (time periods to be addressed are January 1 to June 30 and July 1 to December 31);
- Semi-annual Metal Furniture Manufacturing MACT (40 CFR 63 Subpart RRRR) to DEQ and EPA (Region III) by January 31 and July 31 of each year (time periods to be addressed are January 1 to June 30 and July 1 to December 31);
- Metal Furniture Manufacturing NSPS (40 CFR 60 Subpart EE) reporting as required to DEQ and EPA (Region III) in accordance with § 60.315 (b); and
- Malfunction or Deviation reports
to DEQ within 4 daytime business hours after discovery of any malfunctions and any deviations from permit requirements that may cause excess emissions for more than one hour.

GENERAL CONDITIONS

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110 that apply to all facilities operating under a Federal operating permit. Selected requirements are

noted below:

B. Permit Expiration

This condition refers to the five year permit term from the time of the effective date of the permit, to the permittee's responsibility to apply for renewal, to the State Air Pollution Control Board taking action on a permit application, and to the prior terms and conditions remaining in effect until the renewal is issued or denied. The authority to take action on permit application(s) has been delegated to the Regions as allowed by §2.1-20.01:2 and §10.1-1185 of the *Code of Virginia*, and the "Department of Environmental Quality Agency Policy Statement No. 3-2001".

J. Permit Modification

This condition cites the following sections from the Virginia Regulations for the Control and Abatement of Air Pollution:

- 9 VAC 5-80-50 -- Applicability, Federal Operating Permit For Stationary Sources
- 9 VAC 5-80-190 -- Changes to Permits.
- 9 VAC 5-80-260 -- Enforcement.
- 9 VAC 5-80-1100 -- Applicability, Permits For New and Modified Stationary Sources
- 9 VAC 5-80-1605 -- Applicability, Permits For Major Stationary Sources and Modifications Located in Prevention of Significant Deterioration Areas

U. Malfunction as an Affirmative Defense

The Virginia Regulations for the Control and Abatement of Air Pollution contain two reporting requirements for malfunctions that coincide. Reporting requirements are listed in sections 9 VAC 5-80-250 and 9 VAC 5-20-180. Malfunction requirements are listed in General Conditions U and F.

This condition cites the following sections from the regulations:

- 9 VAC 5-20-180 Facility and Control Equipment Maintenance or Malfunction
- 9 VAC 5-80-110 Permit Content

Y. Asbestos Requirements

The Virginia Department of Labor and Industry under Section 40.1-51.20 of the Code of Virginia also holds authority to enforce 40 CFR 61 Subpart M, National Emission Standards for Asbestos.

This general condition contains citations from the Code of Federal Regulations as follows:

- 40 CFR 61.145, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to demolition and renovation.
- 40 CFR 61.148, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to insulating materials.

- 40 CFR 61.150, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to waste disposal.

STATE ONLY APPLICABLE REQUIREMENTS

This permit contains no State Only Applicable Requirements

FUTURE APPLICABLE REQUIREMENTS

No future applicable requirements have been identified for this facility.

- The Wood Furniture Manufacturing MACT (JJ) is already applicable to the finishing operations at the plant - even if the facility is synthetic minor for HAPs, the once-in-always-in rule applies and they will continue to comply with MACT JJ.
- CAM applies to woodworking emissions to the baghouses unless demonstrated otherwise.
- The Plywood and Composite Wood Products MACT (DDDD) does not apply since this facility does not make plywood or particleboard and there are no lumber drying kilns.

INAPPLICABLE REQUIREMENTS

The startup, shut down, and malfunction opacity exclusion listed in 9 VAC 5-40-20 A 3 (for pre-1972 existing emission units) cannot be included in any Title V permit because this portion of the regulation is not part of the federally approved state implementation plan (SIP). The opacity standard applies to existing sources at all times including startup, shutdown, and malfunction. Opacity exceedances during malfunction can be affirmatively defended provided all requirements of the affirmative defense section of this permit are met. Opacity exceedances during startup and shut down will be reviewed with enforcement discretion using the requirements of 9 VAC 5-40-20 E, which state that "At all times, including periods of startup, shutdown, soot blowing and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions." Since this is a new plant as of 1998, the existing source opacity exclusion is not applicable for any equipment at this facility.

In contrast, the similar startup, shut down, and malfunction opacity exclusion listed in 9 VAC 5-50-20 A 4, for emissions units that are new or modified since 1972, is SIP-approved and therefore applies to all emissions units at this facility.

COMPLIANCE PLAN

This facility is currently under two separate Consent Orders as follows:

Effective August 31, 2005 - P2 project required.

Effective October 18, 2006 - SEP required.

INSIGNIFICANT EMISSION UNITS

The insignificant emission units are presumed to be in compliance with all requirements of the Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

Insignificant emission units include the following:

Unit No.	Emission Unit	Citation	Pollutant(s) Emitted	Rated Capacity
	Lumber Dry Kilns		VOC	no longer in use

CONFIDENTIAL INFORMATION

The permittee did not submit a request for confidentiality. All portions of the Title V application are suitable for public review.

PUBLIC PARTICIPATION

The draft/proposed permit will be advertised for public notice in the *Martinsville Bulletin* on January 22, 2008. The required 30-day public notice period will close on February 22, 2008.

The EPA 45 day concurrent review period will be January 22, 2007 to March 7, 2007.

This permit will be advertised for *concurrent review*.